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7 Attorneys for Defendant
LOGITECH INC.

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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 JAMES PORATH, individually on behalf of all
13 others similarly situated individuals,

14 Plaintiffs,

15 v.

16 LOGITECH INC., a California corporation,

17 Defendant.
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Case No. 3:18-cv-03091-WHA

**LOGITECH INC.'S RESPONSE TO
PLAINTIFF'S PROPOSAL
REGARDING NOTICE TO PUTATIVE
CLASS MEMBERS (ECF NO. 84)**

Hon. William Alsup

1 In the Amended Case Management Scheduling Order (ECF No. 83), the Court ordered
2 plaintiff to submit a proposed notice plan regarding the denial of the motion for class certification
3 and of the potential dismissal of this case. Logitech Inc. takes no position on the propriety of
4 providing notice to putative class members and does not oppose the proposed plan or form of
5 notice submitted by plaintiff's counsel. *See* ECF Nos. 84, 84-1, 84-2.

6 Logitech, however, wishes to raise two points relating to the Court's order:

7 1. Logitech and its counsel received no advance notice from plaintiff's counsel that it
8 did not intend to pursue this matter on behalf of a new class representative and were surprised by
9 the December 19, 2019 notice. *See* ECF No. 82. Logitech and its counsel fully expected
10 plaintiff's counsel to file a renewed class certification motion on behalf of a new class
11 representative and were prepared to respond with a renewed opposition. In fact, Logitech was
12 working with plaintiff's counsel to schedule a date for the new class representative's deposition.

13 2. The December 19, 2019 notice does not disclose whether plaintiff's counsel
14 intends to file a new case (or cases) in another jurisdiction that challenges the Logitech Z200 on
15 the same theory of liability alleged here. Plaintiff's counsel has represented to Logitech that it
16 does not have a present intention to do so. Accordingly, Logitech requests that plaintiff's counsel
17 confirm that representation and that plaintiff's counsel be required to provide notice to the Court
18 if any such subsequent case is filed in another jurisdiction.

19 Dated: January 13, 2020

MAYER BROWN LLP
DALE J. GIALI
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20 By: /s/ Dale J. Giali

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22 Attorneys for Defendant
23 LOGITECH INC.
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